

IN THE IOWA DISTRICT COURT IN AND FOR WOODBURY COUNTY

LAWTON-BRONSON COMMUNITY
SCHOOL DISTRICT,

Plaintiff,

v.

THE HEWLETT-PACKARD COMPANY,

Defendant.

Law No. _____

**PETITION AT LAW AND
DEMAND FOR JURY TRIAL**

COMES NOW, the Plaintiff, Lawton-Bronson Community School District, and
for its Petition at Law and Demand for Jury Trial, states as follows:

INTRODUCTION, PARTIES, AND JURISDICTION

1. This is an action to recover for property damage suffered by the Lawton-Bronson Community School District (hereinafter “LBCSD”) when one of its buildings was damaged from a fire caused by defective products manufactured by the Defendant, The Hewlett-Packard Company (hereinafter “HP”) on or about September 25, 2018.
2. LBCSD is a public school district located within Woodbury County, Iowa.
3. HP is a business licensed to do business in Iowa, is organized under the laws of the State of Delaware and has its headquarters in Palo Alto, California.
4. Venue is proper in Woodbury County pursuant to Iowa Code § 616.2, as the property damage giving rise to this lawsuit is located within Woodbury County.
5. The damages in this case exceed the jurisdictional minimum.

FACTUAL ALLEGATIONS

6. On or about September 25, 2018, a fire occurred at LBCSD.
7. The fire occurred in a math classroom.
8. The fire caused extensive damage to the classroom, hallways and school building.
9. An investigation into the fire determined that the origin of the fire was a laptop computer charging cart that was located in the east-central part of the classroom.
10. The computer charging cart was plugged into an outlet at the time of the fire.
11. The computer charging cart was manufactured by HP.
12. The computer charging cart had the capacity to charge twenty-four (24) laptops simultaneously.
13. At the time of the fire, there were seventeen (17) laptops that were charging in the cart.
14. Each of the seventeen (17) laptops that were charging in the cart were manufactured by HP.
15. Each of the components making up the seventeen (17) laptops that were charging in the cart at the time of the fire were manufactured by HP.
16. The fire was caused by the malfunction of an HP product.
17. The fire would not have occurred but for the defect in an HP product.

CAUSES OF ACTION

COUNT I: PRODUCTS LIABILITY—DESIGN AND/OR MANUFACTURING DEFECT

18. LBCSD hereby incorporates the preceding paragraphs as if fully set forth herein.

19. HP designed and intended its laptops and computer charging carts to operate in a safe manner, including for the products to be plugged into an outlet without risk of causing a fire.

20. At least one of the HP manufactured laptops and/or computer charging carts was defectively designed and/or manufactured.

21. The design and/or manufacturing defect existed at the time LBCSD purchased the HP products.

22. The design and/or manufacturing defect rendered at least one of the HP products unsafe.

23. Due to the defectively-designed and/or manufactured HP product, a fire began in the LBCSD math classroom.

24. As a direct result of the defectively-designed and/or manufactured HP product, the LBCSD math classroom and building suffered damages.

25. As the manufacturer of the defectively-designed and/or manufactured product, HP is liable to LBCSD for the entirety of the property damage suffered to the math classroom and building.

WHEREFORE, the Plaintiff, Lawton-Bronson Community School District, prays for judgment in its favor against Defendant The Hewlett-Packard Company for the total sum of all property damages suffered, plus costs.

JURY DEMAND

The Plaintiff, Lawton-Bronson Community School District hereby demands a trial by jury.

BRADSHAW, FOWLER, PROCTOR & FAIRGRAVE, P.C.

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**ATTORNEYS FOR PLAINTIFF LAWTON-BRONSON
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